

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

RAMON ARAGON, *et al.*,

Defendants.

69cv07941 (BB-ACE)

RIO CHAMA STREAM SYSTEM
Section 5: Rio Gallina

Subfile No. CHGA-002-0050

MOTION TO CORRECT CLERICAL ERRORS AND OMISSIONS

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer and moves the Court to enter its order correcting clerical errors and omissions in the Consent Order filed April 10, 2002 (Docket No. 6650) in connection with defendant MIKE JACQUEZ and subfile CHGA-002-0050, and as grounds therefore plaintiff states:

1. Under Fed. R. Civ. P. 60(a), clerical mistakes in judgments or orders arising from oversight or omission may be corrected by the court at any time on its own motion or on the motion of any party after such notice, if any, as the court orders.
2. The Consent Order filed April 10, 2002 does not divide the irrigated acreage described in the order into the correct 1/4 subsections of Sections 10 and 15, Township 23 North, Range 1 East. The order but not the subfile map requires correction.
3. Correction of these errors will not affect the total amount of irrigated acreage described in the Consent Order, only the description of the 1/4 subsections where the irrigated acreage is located will be corrected and changed.

WHEREFORE, the plaintiff State of New Mexico requests the Court to enter its order correcting the clerical errors and omissions described above.

Respectfully submitted,

/electronic signature/
EDWARD G. NEWVILLE
Special Assistant Attorney General
Office of State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102
(505) 827-6150

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above Motion to Correct Clerical Errors and Omissions was mailed to following persons on January 12, 2004.

/electronic signature/
Edward G. Newville

RIO CHAMA SECTION 5 SERVICE LIST

Special Master Vickie L. Gabin
USDC-DCNM
P.O. Box 2384
Santa Fe, NM 87504-2384

Fred J. Waltz, Esq.
P.O. Box 6390
Taos, NM 87571-4010

Karla McCall, Data Manager.
1315 Sagebrush Dr. SW
Los Lunas, NM 87031

Paula Garcia
NM Acequia Association
430 W. Manhattan, Ste. 5
Santa Fe, NM 87501

Mary E. Humphrey, Esq.
P.O. Box 1574
El Prado, NM 87529-1574

NM Acequia Commission
Fred Vigil, Chairman
Depart. of Finance & Admin.
Local Government Division
Bataan Memorial Building
Santa Fe, NM 87503

Bradley S. Bridgewater, Esq.
David W. Gehlert, Esq.
USDOJ-ENRD
999 18th St., Suite 945
Denver, CO 80202

Mike Jacquez
906 N. Monterey Ave.
Farmington, NM 87401

John W. Utton, Esq.
Sheehan, Sheehan & Stelzner PA
P.O. Box 271
Albuquerque, NM 87103-0271